

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.80171

Eduardo Gonzalez
Rosa Ulloa

21 Yorkway

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on July 28, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-312, failure to remove old refrigerator from residential property zoned DR 10.5 known as 21 Yorkway, 21222.

On July 7, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector David Gaine issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 28, 2010 for removal of junk and debris, remove refrigerator from rear. This Citation was issued on July 7, 2010.

B. Photograph in the file shows an old refrigerator outside in the rear yard. This violates prohibitions against the accumulation of junk, trash and debris on residential property. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the violation is corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected, by removing the refrigerator from the yard, by August 23, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 30th day of July 2010

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer